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(Modified) PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/849,452

Filing Date

May 4, 2001

First Named Inventor

Michael Lassner

Group Art Unit

1636

Examiner Name

David A Lambertson

Attorney Docket Number

0137.210US

Total Number of Pages in This Submission

12

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
☒ Amendment / Response
☐ After Final
☐ Affidavits/declaration(s)

- ☒ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/Incomplete Application
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address
☐ Terminal Disclaimer
☐ Small Entity Statement
☐ Request for Refund

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Additional Enclosure(s) (please identify below):
- Sequence Listing;
- Copies of requested references; and
- Return postcard >

Authorization to Charge Deposit Account
Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Norman J. Kruse, Reg. No. 35,235

Signature

Date

May 14, 2003

CERTIFICATE OF MAILING

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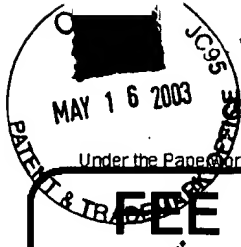
Diane D. Dunn

Date

May 14, 2003

Signature

Diane D. Dunn



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PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 930.00

Complete if Known

Application Number 09/849,452
Filing Date May 4, 2001
First Named Inventor Michael Lassner
Examiner Name David A Lambertson
Art Unit 1636
Attorney Docket No. 0137.210US

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number
Deposit
Account
Name

50-0990

Maxygen, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 000.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
Independent Claims - 3** = X =
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 000.00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	930.00
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 930.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Norman J. Kruse Registration No. 35,235 Telephone (650) 298-5399
Signature Date 5-14-03

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Commissioner f r Patents, P.O. B x 1450, Alexandria, VA 22313-1450 on this date: May 14, 2003

Printed Name Diane D. Dunn

Signature

Date

5/14/03

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P.O. Box 1450
Alexandria, VA 22313-1450,
on May 14, 2003

By: Diane D. Dunn

Diane D. Dunn



Attorney Docket No: 0137.210US

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5/22/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael Lassner, *et al.*

Application No.: 09/849,452

Filed: May 4, 2001

For: Evolution of plant disease response plant pathways to enable the development of plant based biological sensors and to develop novel disease resistance strategies

Examiner: David A Lambertson

Art Unit: 1636

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present communication includes a response to the office action of November 19, 2002. A petition for a three month extension of time authorizing the Commissioner to charge the requisite fee pursuant 37 C.F.R. § 1.17 is enclosed. Thus, the petition effectively extends the period of response from February 19, 2003 to May 19, 2003. In response to the Office action of November 19, 2002, please amend the above-identified application as follows:

Please note that this amendment is submitted in the revised format as set forth in 1267 OG 106 (February 25, 2003). Accordingly,

- Amendments to the Specification begin on page 2 of this paper,
- Claim amendments are reflected in the Listing of Claims, which begins on page 3 of this paper, and
- Remarks begin on page 5 of this paper.